

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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**OMNIPOINT COMMUNICATIONS, INC d/b/a  
T-MOBILE,**

*Plaintiff,*

-vs-

**TOWN OF LAGRANGE,  
TOWN OF LAGRANGE ZONING BOARD OF  
APPEALS,  
TOWN OF LAGRAGNE PLANNING BOARD,  
AND TOWN OF LAGRANGE PLANNING  
ZONING AND BUILDING DEPARTMENT**

*Defendants.*

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**NOTICE OF WITHDRAWAL OF  
PLAINTIFF'S MOTION TO AMEND  
THE COMPLAINT**

Civil Action No. 08-CV-2201  
(WCC) (GAY)  
(ECF Case)

PLEASE TAKE NOTICE that Plaintiff Omnipoint Communications, Inc. d/b/a T-Mobile hereby withdraws its Motion to Amend the Complaint pursuant to Rule 15(c) of the Federal Rules of Civil Procedure, which motion was filed with the Court on April 3, 2008, based upon a Stipulation between the parties as to the relief requested therein.

Dated: April 4, 2008

**HISCOCK & BARCLAY, LLP**

By: s/Jon P. Devendorf  
Gabriel M. Nugent (GN2439)  
Jon P. Devendorf (JD2724)

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**CERTIFICATE OF SERVICE**

I certify that on April 4, 2008, I filed a copy of the foregoing document with the Clerk of the Court via the CM/ECF system, which gave notice to the following attorney:

Rebecca A. Valk  
Van De Water & Van De Water, LLP  
40 Garden Street  
P.O. Box 112  
Poughkeepsie, New York 12602

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s/Jon P. Devendorf  
Jon P. Devendorf